

SENATE BILL 26

By Tracy

AN ACT to amend Tennessee Code Annotated, Title 39,  
Chapter 13, Part 1, relative to certain assaults  
committed against correctional officers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 39-13-102, is amended by adding the following new subsection to be designated as (e) and by redesignating subsequent subsections accordingly:

(e)

(1) A person commits aggravated assault who knowingly commits an assault, as defined in § 39-13-101, against a state or local correctional officer or jailer if:

(A) The person committing the assault is a state or local prisoner or inmate; and

(B) The assault results in the officer or jailer being required to:

(i) Obtain sutures to close a wound;

(ii) Undergo medical procedures such as a CT scan or MRI to determine if the officer or jailer has suffered internal bleeding; or

(C) Be absent from work for one (1) or more days.

(2) The sentence of an inmate or prisoner convicted of aggravated assault under this subsection (e) shall not also be enhanced pursuant to § 40-35-114(19).

SECTION 2. Tennessee Code Annotated, Section 39-13-102, is amended by adding the following new sentence between the third and fourth sentences of present subdivision (e)(1):

Aggravated assault under subsection (e) is a Class D felony punishable by a two (2) year mandatory minimum period of incarceration.

SECTION 3. This act shall take effect July 1, 2011, the public welfare requiring it.